

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

2008 DEC -3 PM 2:25

n. Sanders

FREDRICK ALLEN ELLIS,)
)
Plaintiff,)
)
v.) CASE NO. CV508-014
)
STATE OF GEORGIA, et. al.)
)
Defendants.)
)

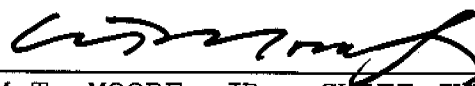
O R D E R

Before the Court is Magistrate Judge Graham's Report and Recommendation (Doc. 93), to which no objections have been filed.¹ After careful consideration, the Court concurs with Magistrate Judge Graham's Report and Recommendation. Accordingly, the Court **ADOPTS** the Report and Recommendation as the opinion of this Court. The claims against Judge Jackson and the Sheriff of Laurens County shall be **DISMISSED WITHOUT PREJUDICE** pursuant to Plaintiff's request. The claims against the State of Georgia; the Department of Probation; and Officers Bowers, Taylor, and Hood shall be **DISMISSED WITH PREJUDICE**. Plaintiff's excessive use of force claim and conspiracy claim are **DISMISSED**.

¹ Plaintiff twice motioned for extensions of time to file objections, and each time an extension was granted. (Docs. 102 & 136.) However, Plaintiff's objections were due to be received on September 15, 2008, and Plaintiff has not asked for an extension of time beyond that date. (Doc. 136.)

The remaining Defendants, Officers Powell and Bracewell, may be found in Laurens County. Also, most of the conduct at issue in this case appears to have occurred in Laurens County. Therefore, this case is properly brought in the Dublin Division of this District, which encompasses Laurens County. See 28 U.S.C. § 1391. Accordingly, this case is **TRANSFERRED** to the Honorable Judge Dudley H. Bowen, Jr., for plenary disposition.

SO ORDERED this 3rd day of December, 2008.



WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA